N.B. FARM PRODUCTS MARKETING COMMISSION

ANNUAL REPORT

AS PERSENTED FOR THE YEAR 1987/88

The Farm Products Marketing Commission is a supervisory body with the responsibility for monitoring the activities of commodity marketing boards to ensure that the powers given to them are used as they were intended under the Farm Products Marketing Act.

The Commission is a body corporate consisting of a Chairman, Vice-Chairman and seven members who are appointed by the Lieutenant-Governor in Council. One member represents the Department of Agriculture, one represents the interests of consumers, one represents the New Brunswick Milk Marketing Board, one represents the New Brunswick Milk Dealers Association, one is engaged in the marketing of a farm product other than as a producer, and three are engaged directly as producers in the marketing of farm products. The other member is an independent, not representing any particular commodity or group of persons.

There is presently one vacant position on the Commission, that being the representative for consumers. The present members and officials of the Commission are as follows:

H. Raymond Scovil - Chairman

Frank Lutes - Vice-Chairman

Wayne Buffett - Executive Director

Ray Miller - Administrative Secretary

D.V. Wright - Legal Counsel

Dow Goodine - Member

Bernard DeMerchant - Member

Yvon Cormier - Member

Claude Pelletier - Member

Don Butler - Member

The activities of the Commission are financed wholly through the Department of Agriculture, which also provides the Secretariat for the Commission. The Commission reports directly to the Minister of Agriculture.

Legislation provides for a Farm Products Appeal Panel which can consist of up to ten members. From this Panel, a Farm Products Appeal Tribunal is selected which consists of the Chairman and two other members. The Tribunal is responsible for adjudicating complaints on prices established by local marketing boards.

The following members have been appointed to the Farm Products Appeal Panel:

Earl Evans - Chairman

David Blair, Department of Agriculture representative

Pierre Bourque, Producer representative

Claude Cyr, Producer representative

Walter Brown, Jr., Producer representative

Joy Knox, Member knowledgeable of consumer affairs

Ora Buchanan, Marketer of a farm product other than as a producer

Wayne Steeves, Marketer of a farm product other than as a producer

Ron Tilley, Accountant with the Comptroller's Office

Hubert Cyr, Independent member

The Farm Products Marketing Commission supervises the following eleven marketing boards and agencies:

(1) N.B. Apple Marketing Board

(2) N.B. Greenhouse Products Marketing Board

(3) N.B. Chicken Marketing Board

(4) N.B. Cream Marketing Board

(5) N.B. Egg Marketing Board

(6) N.B. Hog Marketing Board

(7) N.B. Milk Marketing Board

(8) N.B. Tobacco Marketing Board

(9) N.B. Turkey Marketing Board

(10) N.B. Potato Agency

(11) N.B. Cattle Marketing Agency

The Commission approved a total of 16 Orders during the year. These Orders included Borrowing Orders; appointments of inspectors under the Farm Products Marketing Act; and Order dealing with the requirements for the issuance of Milk Dealers Licenses; and Orders dealing with the manufacturing and selling of milk.

In addition to its regular monthly meetings, the Commission also conducted two plebiscites at the request of local boards on the matters of:

(1) an amendment to the N.B. Chicken Marketing Plan, Regulation 84-218, to allow Directors to serve on the Board for more than four consecutive years. The majority of producers were not in favour of amending the plan, and the Commission interpreted this result to mean that after four consecutive years as a Board Member, that member could not offer for re-election until going off the Board for a period. The Board's interpretation was that the four consecutive years would be the years of being elected by the producers and the appointment by the Lieutenant-Governor in Council would not be counted in adding up to four consecutive years. Because of the differences in interpretation in this part of the regulation, the Commission held a series of meetings with producers to clarify the situation. A vote was taken at these meetings, with the result being

that the majority of producers voted that the four year term be exclusive of any term served under an appointment made by the Lieutenant-Governor in Council.

(2) an amendment to the N.B. Hog Marketing Plan, Regulation 84-90, due to the amalgamation of activities of the N.B. Pork Producers Association with the N.B. Hog Marketing Board. The majority of producers voted in favor of the proposed amendments.

The Farm Products Appeal Panel conducted three hearings on price appeals as follows during the year:

(1) An appeal by Nadeau Poultry on the increase in the price of live chicken set by the N.B. Chicken Marketing Board. The Tribunal ruled that there was insufficient grounds to upset the Board's ruling.

(2) An appeal by Nadeau Poultry and Sussex Poultry concerning the reduction in live price of chickens set by the N.B. Chicken Marketing Board. The Tribunal ruled in favor of the Board.

(3) An appeal by Nadeau Poultry and Sussex Poultry concerning an increase in the price of live chicken imposed by the N.B. Chicken Marketing Board. The Tribunal concluded that the Board's decision on the increase would not be interfered with.